

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 199 be amended to read as follows:

- 1 Page 2, delete lines 28 through 41, begin a new paragraph and
2 insert:"
3 **(d) Notwithstanding IC 35-50-3-3:**
4 **(1) the court shall order a person convicted under subsection**
5 **(a) to pay a fine of at least five thousand dollars (\$5,000) per**
6 **day for each violation and not more than twenty-five**
7 **thousand dollars (\$25,000) per day for each violation; and**
8 **(2) the person is not subject to imprisonment for the crime.**
9 **(e) Notwithstanding IC 35-50-2-6(a) or IC 35-50-2-7(a):**
10 **(1) the court shall order a person convicted under subsection**
11 **(b) to pay:**
12 **(A) a fine of at least five thousand dollars (\$5,000) and not**
13 **more than fifty thousand dollars (\$50,000) for each day of**
14 **violation; or**
15 **(B) if the person has a prior unrelated conviction for an**
16 **offense under this title that may be punished as a felony, a**
17 **fine of at least five thousand dollars (\$5,000) and not more**
18 **than one hundred thousand dollars (\$100,000) for each day**
19 **of violation; and**
20 **(2) the person is not subject to imprisonment for the crime."**
21 Page 3, delete lines 39 through 42, begin a new paragraph and
22 insert:
23 **(i) Notwithstanding IC 35-50-3-4:**
24 **(1) the court shall order a person convicted under subsection**
25 **(f) to pay a fine of at least five thousand dollars (\$5,000) per**
26 **day for each violation and not more than twenty-five**
27 **thousand dollars (\$25,000) per day for each violation; and**
28 **(2) the person is not subject to imprisonment for the crime.**
29 **(j) Notwithstanding IC 35-50-2-6(a) or IC 35-50-2-7(a):**
30 **(1) the court shall order a person convicted under subsection**
31 **(g) to pay:**

- 1 **(A) a fine of at least five thousand dollars (\$5,000) and not**
 2 **more than fifty thousand dollars (\$50,000) for each day of**
 3 **violation; or**
 4 **(B) if the person has a prior unrelated conviction for an**
 5 **offense under this title that may be punished as a felony, a**
 6 **fine of at least five thousand dollars (\$5,000) and not more**
 7 **than one hundred thousand dollars (\$100,000) for each day**
 8 **of violation; and**
 9 **(2) the person is not subject to imprisonment for the crime."**
 10 Page 4, delete lines 1 through 10.
 11 Page 5, delete lines 13 through 31, begin a new paragraph and
 12 insert:
 13 **"(n) Notwithstanding IC 35-50-3-4:**
 14 **(1) the court shall order a person convicted under subsection**
 15 **(k)(1), (k)(2), or (k)(3) to pay a fine of at least five thousand**
 16 **dollars (\$5,000) a day for each violation and not more than**
 17 **twenty-five thousand dollars (\$25,000) a day for each**
 18 **violation; and**
 19 **(2) the person is not subject to imprisonment for the crime.**
 20 **(o) Notwithstanding IC 35-50-3-4:**
 21 **(1) the court shall order a person convicted under subsection**
 22 **(k)(4) to pay a fine of at least five thousand dollars (\$5,000)**
 23 **for each instance of violation and not more than ten thousand**
 24 **dollars (\$10,000) for each instance of violation; and**
 25 **(2) the person is not subject to imprisonment for the crime.**
 26 **(p) Notwithstanding IC 35-50-2-6(a) or IC 35-50-2-7(a):**
 27 **(1) the court shall order a person convicted under subsection**
 28 **(l) to pay:**
 29 **(A) a fine of at least five thousand dollars (\$5,000) and not**
 30 **more than fifty thousand dollars (\$50,000) for each day of**
 31 **violation; or**
 32 **(B) if the person has a prior unrelated conviction for an**
 33 **offense under this title that may be punished as a felony, a**
 34 **fine of at least five thousand dollars (\$5,000) and not more**
 35 **than one hundred thousand dollars (\$100,000) for each day**
 36 **of violation; and**
 37 **(2) the person is not subject to imprisonment for the crime."**
 (Reference is to SB 199 as printed January 17, 2008.)

Senator BRAY